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Bay City man's family wins wrongful death lawsuit against local doctor

By Cole Waterman | The Bay City Times

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Following a three-week trial, a Bay City family has won their lawsuit against a local doctor whose alleged malpractice led to their loved one's death.

Monday, a Bay County jury returned a \$1.4 million verdict against Dr. Dhana Shrestha and Bay Area Health Clinic in a medical malpractice/wrongful death case. Bay County Circuit Judge William J. Caprathe presided over the trial.

The lawsuit was brought about by the family of Chester L. Woodard, 49 at the time of his death in 2003. The family claimed that on Feb. 17, 2003, Woodard came to Bay Regional Medical Center with symptoms of a brain tumor. A brain CAT scan and MRI confirmed the condition.

Though Woodard was admitted to the hospital by Shrestha, his family doctor, the lawsuit claimed he went untreated for three days. On Feb. 20, the tumor hemorrhaged and bled into the pituitary region of his brain, a development he was unable to recover from. He died on May 15.

According to several experts who testified in the trial, Woodard's life could have been saved had Shrestha correctly cared for him. The jury deliberated for two days before delivering the verdict that Shrestha committed medical malpractice causing his patient's death.

"The Woodard family is very pleased that the jury found a verdict in their favor," said the family's attorney, Albert J. Dib of Royal Oak. "They've been waiting seven years for this day and they felt the verdict finally rendered justice in the case."

Dib noted the case was tried in a somewhat atypical fashion, as Caprathe is one of a handful of judges chosen by the Michigan Supreme Court to implement the new jury reform pilot project. Unlike most trials and under this project, the jury members were allowed to ask questions of the witnesses, take notes and to discuss the case among themselves prior to their deliberations, Dib said.

"It's an innovative process, which I thought was a credit to Judge Caprathe in Bay County, truly," Dib said.

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